

UNLAWFUL DETAINER FILING CHECKLIST

STEP ONE – FILE CASE WITH CLERK

To file an Unlawful Detainer case, you may file the following forms along with the filing fee and any service fees, if applicable, with the Clerk's office.

_____ Complaint for Unlawful Detainer

(1) Original filed with the Clerk, (1) set of copies for each Defendant to be served and (2) sets of copies for each Defendant to be mailed

_____ Civil Cover Sheet

_____ Affidavit of Military Status

_____ Summons

(1) Original and (3) copies for each Defendant to be served and/or mailed

STEP TWO – OBTAIN JUDGMENT

5 days (not including Saturday, Sunday or legal holidays) after service on the Defendant(s):

The Defendant(s) DID NOT respond, you may file the following forms:

_____ Motion for Clerk's Default

_____ Motion for Default Final Judgment

_____ Final Judgment

(1) Original, (1) copy for each Plaintiff and (1) copy for each Defendant along with preaddressed stamped envelopes for each party

OR

The Defendant(s) DID respond, you may file the following forms:

_____ Notice of Hearing

(It is your responsibility to contact the Judicial Assistant of the Judge assigned to your case, to set a hearing date. Once you have set your hearing, complete the notice of hearing and make copies. File the original with the clerk and send a copy to each of the defendants.)

Note – In some cases the Judge assigned to your case may require that you submit a motion for Clerk's Default prior to scheduling the hearing.

_____ Final Judgment – Bring to the hearing

- (1) Original, (1) copy for each Plaintiff and (1) copy for each Defendant along with preaddressed stamped envelopes for each party

If the Judge grants your complaint, a Final Judgment will be signed.

STEP THREE – OBTAIN WRIT OF POSSESSION

If the Defendant(s) refuses to leave the property after the Final Judgment has been signed, you may file a Writ of Possession and have it issued by the Clerk, allowing the Sheriff's department to remove them from the property.

_____ Writ of Possession

Payment Options for Writ of Possession:

- \$90.00 Check or money order payable to the Pinellas County Sheriff's Office
 - Submitted to the Clerk along with the Writ of Possession
- \$90.00 Credit or Debit payment – PLC #8384 (\$3.00 service fee applies)
 - online at www.GovPayNow.com
 - by phone at 1-888-604-7888

Additional Forms, if applicable

_____ Disclosure form Nonlawyer

This form should only be used if a nonlawyer assists you in completing any forms. The nonlawyer must complete the Disclosure form and both of you are to sign it prior to the nonlawyer assisting you with any forms.

_____ Notice of Voluntary Dismissals

If you decide not to proceed with your case prior to a judgment being entered, you should file a Notice of Voluntary Dismissal

THIS DOES NOT CONSTITUTE LEGAL ADVICE. Civil court information and forms provided by the Pinellas County Clerk of the Circuit Court should be considered informational only, and may not be applicable in every situation. The information is not intended to be used as legal advice. Specific guidance as to how to proceed with filing or answering a lawsuit and questions about your particular situation should be directed to a qualified attorney.